

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated June 2, 2005.

The indication of the formal allowance of claims 2, 5, 7, 10, 15, 16, 19 and 20 is noted with appreciation. Allowable claims 21 and 22 have been rendered in independent form and their informalities corrected. Thus, they should be added to the allowed claims.

The remaining claims 12, 14, 17, and 18 are stated by be obvious over Silverbrook (6,597,817), in view of Anderson (6,275,260), as explained in paragraphs 5-8 of the Office Action. Reconsideration is respectfully requested.

Independent claim 17 includes a manual operation member which includes four operation sections corresponding to a port, downward, leftward and rightward directions. They enable an operator to manually operation member to enable the claim control section to place the character string data to one of the upper, lower, left and right edges of the image data. Independent claim 18 has a similar limitation. Claim 12 depends from claim 17 and claim 14 depends from claim 18.

Turning to the Office Action, paragraph 5 begins with "Regarding claim 12...". It is assumed that the Examiner meant to say, "Regarding claim 17". Preliminarily, it is worth noting that these same references, Silverbrook and Anderson, are fully discussed in the Office Action of March 16, 2004 (Paper No. 5). In fact, the text in paragraph 5 of the instant Office Action repeats verbatim corresponding sections from the aforementioned March 16, 2004 communication. In that prior communication, the Examiner provided a statement of reasons for Allowable Subject Matter, which included the following:

"...the primary reason for indication of allowable subject matter is that the prior art fails to teach or reasonably suggest shifting the position of the attendant information along the one of the upper, lower, left and right edges in accordance with the user's operation of that one of the four operation sections, which corresponds to the one of the upper, lower, left and right edges."

See page 9 of the aforementioned Office Action.

Respectfully, the Examiner was right on March 16, 2004 in observing that the prior art then known to the Examiner -- which included the references applied in instant Office Action -- do not teach the feature which was provided as the basis for finding allowable subject matter.

In the current Office Action, it is admitted that: "...Silverbrook fails to disclose a manual operation member or a controlling means that sets the position of the attendant information on one of upper, lower, left and right edges of the image data and changes the orientation of the attendant information in

accordance with the set position.” It is contended, however, that Anderson provides that teaching, referring the applicant to column 8, lines 27-40. Respectfully, closer scrutiny of the Anderson reference discloses that it does not, in fact, teach or suggest that feature. Lines 27-40 of that reference describe an automatic system, rather than a manual system. In fact, lines 21-25 describe automatic placement of the time-date stamp. Line 47 specifically refers to automatic operation.

Moreover, Figure 12 of the Anderson reference, specifically step 1010 and the steps closely related with it, clearly describe an automatic positioning operation. See also, the text at column 10, lines 27-54. The determination of whether a stamp can be positioned or repositioned to any given time appears to occur automatically based on predetermined logic that is incorporated in software that is part of this system.

Therefore, the Examiner was correct after all, in the Office Action of March 16, 2004 (Paper No. 5), when he stated that the prior art, including Anderson, did not teach or reasonably suggest “shifting the position of the attendant information”, etc., in accordance with the user’s operation of one of the four operation sections corresponding to those positions.

Since the dependent claims 12 and 14 incorporate the features of their independent claims, either claim 17 or claim 18, they are even further distanced from the prior art and similarly merit to be promptly allowed.

Please note that if the Examiner disagrees with the foregoing concerning the patentability of claims 12, 14, 17 and 18, the applicant hereby agrees to cancel those claims and agrees to the entry of an Examiner’s Amendment canceling such claims as part of a Notice of Allowance. This will avoid the costs of further, unnecessary prosecution and result in a more rapid and prompt passage of the application to issuance.

Accordingly, the applicant respectfully solicits prompt issuance of a Notice of Allowance on the present application.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 19, 2005

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Name of applicant, assignee or
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Signature

August 19, 2005

Date of Signature

Respectfully submitted,

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